

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 119 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE A.K.TRIVEDI

- =====
1. Whether Reporters of Local Papers may be allowed to see the judgements? Yes
 2. To be referred to the Reporter or not?
 3. Whether Their Lordships wish to see the fair copy of the judgement?
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge?
2 to 5 no
-

ARVINDKUMAR BABULAL JOSHI

Versus

RANGE FOREST OFFICER

Appearance:

MR PM DAVE for Petitioner
Mr.AJ Desai, APP for Respondents

CORAM : MR.JUSTICE A.K.TRIVEDI

Date of decision: 30/04/98

ORAL JUDGEMENT

Heard learned Advocate Mr. P.M. Dave appearing for the petitioner. Rule. Learned APP Mr. A.J. Desai waives service of Rule on behalf of Respondents. The petitioner has prayed for appropriate writ or direction directing Respondents No. 1 and 2 to release Tempo being Registration No. GJ-17-X-2843 of the ownership of the petitioner which was seized and detained on the allegation that said vehicle has been used for illegal

transporation of forest produce.

On behalf of Respondents, it has been stated that proceedings are part heard under Section 61 of the Forest Act, 1927. In view of the same, the respondents No. 1 and 2 are directed to complete the proceedings on or before 31st May, 1988. In the event of non-conclusion of proceedings under Section 61 of the Forest Act, the respondents No. 1 and 2 are directed to grant interim custody of the subject Tempo to the petitioner on appropriate terms and conditions.

Rule is made absolute accordingly. No order as to costs. Direct service is permitted.

p.n.nair